

REMARKS

In this response, no claims have been amended. Claims 1-21 are pending.

Claims 1-21 have been rejected for anticipation by US Patent No. 6,138,007 ("Bharatia"). The applicants respectfully traverse this rejection for the following reasons.

Prima facie, rejection of a claim for anticipation by a reference requires that the reference describe, explicitly or by inherency, all of the elements or steps, and all of the limitations of the rejected claim.

Claim 1 is a method for use in a mobility gateway for forwarding a call directed to a roaming subscriber unit. The method includes the acts of:

"storing, at the mobility gateway, a plurality of temporary transfer-to telephone numbers; and

selecting, for association with the roaming subscriber unit, one of the temporary transfer-to telephone numbers."

With respect to claims 1 and 8, the contention in the Office Action is that "storing, at the mobility gateway, a plurality of temporary transfer-to telephone numbers" is taught in Bharatia at "column 4, lines 23-47 and column 4, lines 63-65, the teaching of Bharatia not only for a single roaming subscriber unit. Therefore the teaching of Bharatia inherently teaches storing a plurality of temporary transfer-to telephone numbers." The applicant respectfully disagrees.

During examination, words of a claim must be interpreted in light of the specification when the applicant has provided a clear definition of those words in the specification. See MPEP 211.01. A clear definition of a "temporary transfer-to telephone number" is given at page 6, lines 15-18 of this application. According to the definition, "a temporary transfer-to telephone number is one that is homed on some MSC. A temporary transfer-to telephone number is different from the subscriber telephone number and the call forwarding number associated with the subscriber unit. It is a call forwarding number that is used in an intermediate and temporary fashion between the subscriber telephone number and the call forwarding number associated with the subscriber unit."

In Bharatia, at column 4, lines 23-47 a prior art late call forwarding process between a GSM network and an IS41 network is described. This process is illustrated in FIG. 2. Rejected claim 1 is a method for use in a mobility gateway. Neither the description at column 4, lines 23-47 nor FIG. 2 of Bharatia teaches, describes, or illustrates storing a plurality of temporary transfer-to telephone numbers at a mobility

gateway. There is no mobility gateway described in Bharatia at which a plurality of temporary transfer-to telephone numbers is stored. And, the examiner has not identified the element in Bharatia that is considered to be the mobility gateway. Accordingly, the applicant presumes that either the GSM gateway MSC or the IWU is considered to be the "mobility gateway" of the rejected claims. The GSM gateway MSC 18 described in Bharatia receives fetching location information for roaming cellular telephones and routes calls to MSCS in the IS41 network. But Bharatia does not teach that a telephone number of any kind is stored at the GSM gateway MSC 18. The IWU 14 passes signaling messages back and forth between the GSM and IS41 networks while converting the format of the messages into a form understood by a receiving MSC. See Bharatia at column 1, lines 30-33. The IWU keeps VLR and HLR data of cell phones roaming from the GSM to the IS41 network. See Bharatia at column 1, lines 39-41 and at column 3, lines 20-27. But Bharatia does not disclose that a telephone number of any kind, let alone a temporary telephone number, is stored at the IWU. Nor is one needed in the process illustrated in Bhatia's FIG. 2.

With reference to Bharatia's FIG. 2, when a GSM MSC receives a call for a cellular phone roaming in the IS41 network, it sends routing information including the cellular phone's roaming number via the GSM VLR to the IWU (80, 82, 48). The IWU initiates a sequence of messages with the IS41 MSC resulting in a call setup from the GSM gateway MSC to the IS41 MSC (86, 88, 90, 92, 94). If the cellular phone does not respond, call forwarding is initiated by a sequence of messages between the IS41 MSC and the IWU (96, 98, 100, 102). One of those messages (100) is a TRANSFER TO NUMBER REQUEST sent by the IS41 MSC to the IWU. In response, the IWU sends a TRANUMREQ[C] message 102 to the IS41 MSC. This message contains the telephone number of customer C in the GSM system. According to Bharatia at column 3, line 50 and column 4, lines 5-8, customer C is a cellular telephone in the GSM system "such that calls from customer "A" that cannot be terminated with customer "B" are forwarded to customer "C". But Bhatia does not disclose where customer C's telephone number is stored. Moreover, customer C's telephone number is *the same* as the call forwarding number associated with the roaming cellular phone. Further, customer C's number (the call forwarding number) is evidently a permanent number, not a temporary number. Customer C's number cannot, therefore, be a "temporary transfer-to telephone number" according to the definition of that term in the specification of this application, and further in view of the plain meaning of "temporary".

The further contention in the Office Action is that “selecting, for association with the roaming subscriber unit, one of the temporary transfer-to telephone numbers” is taught in Bharatia at column 4, lines 23-47 because “one of the temporary transfer-to telephone numbers (see column 4, lines 23-47, see “roaming number”).” To the extent the argument is understood, the applicant respectfully disagrees.

The “roaming number” described by Bharatia is requested by the GSM HLR 22 in a message 84. This message is received by the IWU which sends a route request message to the IS41 MSC 50. If the roaming cellular phone does not have a roaming number, the IS41 MSC 50 provides one in a route request TLDN message 88. The IWU forwards the roaming number to the GSM HLR 22 in a MSRN message 90. The roaming number is forwarded by the GSM HLR to the GSM gateway MSC 18, which uses the number to set up a call the roaming cellular phone (94). This protocol conforms to the E164 Standard of the International Telecommunications Union which defines the format of global switched telephone numbers. This number is not described by Bharatia as being “selected” from a list of “temporary” telephone numbers stored at any gateway. It originates at the IS41 MSC 50, but Bharatia does not describe how this occurs. The MSC 50 is not a “mobility gateway” and is not described as storing a list of temporary telephone numbers and selecting from that list. Further, the roaming number is described in the specification at page 10, lines 1-5 and is distinct from and different than a “temporary transfer-to telephone number” stored in a list at a mobility gateway.

Accordingly, Bharatia omits a mobility gateway, any act of “storing, at the mobility gateway, a plurality of temporary transfer-to telephone numbers”, and any act of “selecting, for association with the roaming subscriber unit, one of the temporary transfer-to telephone numbers.” If the examiner considers these omitted elements to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that they are “necessarily present” in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claim 2, “the temporary transfer-to telephone number is homed on a mobile switching center that is different from a mobile switching center serving the roaming subscriber unit.” In the specification, this is the redirection MSC 118. In Bharatia, both the switching center 18 and the MTSO 50 serve the roaming mobile subscriber 66. The MSC 18 serves the subscriber 66 in the GSM system and the MTSO serves the subscriber 66 in the IS41 system. There is no “temporary transfer-to

telephone number is homed on a mobile switching center that is different from a mobile switching center serving the roaming subscriber unit." If the examiner considers this omitted element to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that it is "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claim 3, "a message having the temporary transfer-to telephone number" is sent "to a mobile switching center serving the roaming subscriber unit." At column 4, lines 38-39, Bharatia describes a route request message. There is no "temporary transfer-to telephone number" included in this message. If the examiner considers this omitted element to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that it is "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claims 4 and 11, "a location request message" is received "from a mobile switching center which homes the temporary transfer-to telephone number." This MSC "is different from a mobile switching center serving the roaming subscriber unit." At column 1, lines 26-45, Bharatia describes an MSC and an MTSO but does not teach that either of these is an MSC that "is different from a mobile switching center serving the roaming subscriber unit." Indeed, as already established, they both serve a subscriber. If the examiner considers this omitted element to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that it is "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claims 5-7, 9, 10, 12-14, and 19, Bharatia omits at least the elements described above with respect to claims 1-4, 8 and 11. If the examiner considers these omitted elements to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that they are "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claims 15-18, Bharatia omits any description of "a location request message from a mobile switching center which homes a temporary transfer-to telephone number associated with the roaming subscriber unit" for reasons given above. Further, in Bharatia the only redirection request message in FIG. 2 is sent from the IS41

MSC 50 to the IWU; it is not sent to the GSM MSC 18 which originates the call to the roaming subscriber 66. No "redirection request message" is sent "to a gateway mobile switching center which received the call request for the roaming subscriber unit" in Bhatia. If the examiner considers these omitted elements to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that they are "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

With respect to claims 19-21, Bhatia omits any description of "selecting a telephone number for association with a roaming subscriber unit", then "sending a message having the telephone number to a mobile switching center serving the roaming subscriber unit", and then "after selecting and sending, receiving and storing information related to a call request for the roaming subscriber unit." According to Bhatia's FIG. 2, the roaming number (88) is sent after a call request is received (80, 82, 84, 86), not before. Further, as with claims 15-18, no "redirection request message" is sent "to a gateway mobile switching center which received the call request for the roaming subscriber unit" in Bhatia. If the examiner considers these omitted elements to be inherent in Bharatia, the applicant respectfully requests the introduction of extrinsic evidence establishing that they are "necessarily present" in the late call forwarding method described by Bharatia. See MPEP 2131.01. Otherwise, the rejection should be withdrawn.

Respectfully submitted,


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